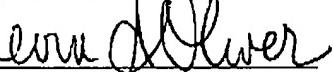


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11/2002U.S.S.N. 09/465,436
Group Art Unit: 2172**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Midgley, et al.)
Serial No.: 09/465,436) Group Art Unit: 2172
Filed: December 16, 1999) Examiner: Shahid Al Alam
For: Systems and Methods for Backing Up) Attorney Docket No.: NTK-005.01
Data Files)

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at (703) 746-7238 on this date, November 18, 2002.



Kevin A. Oliver**RESPONSE**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In reply to the Office Action dated July 17, 2002 and the Advisory Action dated October 2, 2002 Applicants submit the following Remarks.

Applicants' Attorney does not believe that any additional extension of time or any additional fees are required for consideration of this Response, beyond those which may otherwise be provided for in accompanying documents. Should any additional extension of time or additional fees be required for timely consideration of this Response, however, Applicants' Attorney hereby petitions for same and requests that the extension fee and any other fee required for timely consideration be charged to Deposit Account No. 06-1448, Reference NTK-005.01.

Further, Applicants' Attorney hereby authorizes the Commissioner to credit any overpayment to Deposit Account Number 06-1448, Reference NTK-005.01.